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# THE CENSOR AND THE MOVIE "MENACE"

BY ELLIS PAXSON OBERHOLTZER

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IN my contribution to the NORTH AMERICAN REVIEW'S recent discussion on the "Menace of the Movies," I have no wish to examine the reasons for the fascinating hold of the moving picture upon the public, but it is my intention instead to explain the quarrel of the people, or that part of the people who have a responsible social sense, with the moving picture on moral grounds.

That there exists a deep seated feeling unfavorable to the film, unless it shall first have passed through the hands of competent officers, who shall inspect it, to see what it contains, is undoubted. The declarations of large numbers of secular organizations dedicated to the cause of social betterment, as well as many religious and semi-religious bodies, are proofs that the manufacturer who, for his profit, will pander to the people's lowest tastes, will not for very long go forward uncontrolled. The rules which T. P. O'Connor enforces as the Film Censor of Great Britain; those which must be heeded in Quebec, Ontario and all the provinces of Canada, in Australia and in Japan; in Pennsylvania, Chicago and several other States and cities in this country, are founded upon a conviction that there are common public rights which must be guarded as this great new industry proceeds on its victorious course. The fact that there were bills proposing boards of review before the legislatures of some twenty-five or thirty States last year, and that these proposals will reappear in the same legislatures next year, and thereafter, if necessary, until they are enacted into law, further confirms the observant man, whether he be in or out of the industry, in the knowledge that in the belief of those who, guided by a conscientious purpose, usually cause their views to prevail in the end, there is a "menace" which calls for community action at once.

The nature of the picture man's offense is not difficult to state by one who has gained a familiarity with the whole film output, as it comes to the projection rooms of a board of review like that in Pennsylvania, for, let us say, five years, as I have done, seeing and considering it each day with the aid of my colleagues and assistants to the extent of from 12,000,000 to 20,000,000 feet annually. The experienced British Board of Film Censors has classified its objections under a variety of heads. Omitting those which are dictated by considerations of public policy due to the war, they are seen by reference to a recent report to include the following:

- Indecorous, ambiguous and irreverent titles and sub-titles.
- Cruelty to animals.
- The irreverent treatment of sacred subjects.
- Drunken scenes carried to excess.
- The modus operandi of criminals.
- Cruelty to young infants and excessive cruelty and torture to adults, especially to women.
- The exhibition of profuse bleeding.
- Nude figures.
- Offensive vulgarity and impropriety in conduct and dress.
- Indecorous dancing.
- Excessively passionate love scenes.
- Gruesome murders and strangulation scenes.
- Executions.
- The effects of vitriol throwing.
- The drug habit, e.g. opium, morphia, cocaine, etc.
- Subjects dealing with the white slave traffic.
- Scenes depicting the effect of venereal diseases, inherited or acquired.
- Themes and references relative to "race suicide."
- Materialization of the conventional figure of Christ.

Turning to Pennsylvania, which has taken a leading position in this department of community service in this country, it is plain that its rules reflect the same standards of moral feeling and are aimed at the correction of the same evils. It could not be otherwise for the material under review comes from the same source. It appears that more than 90 per cent of all the film shown in Great Britain originates in the United States.<sup>1</sup> Last year we exported to that and other foreign countries enough cinema ribbon to girdle the earth twice at the Equator. The law in

<sup>1</sup> Report of British Cinema Commission of Inquiry, pp. xxxi and 15 on the testimony of Mr. O'Connor.

Pennsylvania, which has been serving as a model for the rest of the country, prohibits what is "sacrilegious, obscene, indecent or immoral," and "may tend to debase or corrupt morals," and the definitions given to these words as a result of the observations of the members of the board in that State have led to the use of a code very similar to that which guides the gentlemen who have control of the subject in England. Not very different standards direct the course of the boards of review in other parts of the United States and in Canada, and I infer from the information furnished me by Mr. Tachibana, the censor in Tokio, that like views of what is proper and improper actuate the authorities in Japan, for they forbid—

"What represents action too cruel and atrocious, disgusting and obscene conduct . . . and vulgar . . . love affairs."

"What shows or suggests methods of committing crime or the means of covering up crime which may lead to imitation."

I am no friend of the censor as such, or for the matter of that to any name or political order which suggests governmental control. Indeed I am an individualist who would dwell in the Arcadian state of Herbert Spencer, wherein men interact one upon another in complete freedom. But here are exceptional needs to cover the exceptional case. It is plain that such an officer is acting upon no very new principle. We censor our own thoughts before we utter them if we are esteemed as neighbors and citizens. This essay will be reviewed and censored before it shall come forth in print. The book, the magazine, the journal, the advertisement are edited. Precisely this function is performed by an officer who surveys the moving picture. He edits the film before it is presented to public view. That he acts for the State instead of some other interest cannot alter the form of the service which he performs.

It should be, I believe, not much more unpalatable to the author of a play or a novel to have his story changed by any censor—more or less competent—put forward for the work than by the producer, director or "scenario writer" in a picture studio. As a matter of fact I shall catch the spirit of his work in all probability more successfully, alter his script in much less radical ways than those worthies, and, if I make excisions and reconstructions, I shall, three times out of four, leave the film nearer the au-

thor's original form than I found it. I, as a censor, have never taken Clyde Fitch's play *The Bachelor*, and called it *The Virtuous Vamp*; Barrie's *The Admirable Crichton*, and called it *Male and Female*; *La Tosca*, and called it *The Song of Hate*; *The Jewels of the Madonna*, and called it *Sin*; *La Gioconda*, and called it *The Devil's Daughter*. The celluloid people have done these things. And there is no writer, openly or secretly, who does not rave at the slashing and cutting which goes on behind his back by the film makers.

Some producers take 200,000 feet of film for a picture. which in the end will measure only 7,000 or 8,000 feet—twenty feet, therefore, for one foot intended for final use. All directors make much more than they need and then by a process of selection, of editing and censoring, and re-editing and re-censoring present us with the finished thing. Is it then so very extraordinary a proposal that some one, seeing all from a height and representing the common interest, should have an editor's powers over what in the film output shall appear to contravene public policy?

I find nothing strange in such an exercise of power with reference to an agency which carries messages so vivid and impressive to the population. It is not more oversight than we give to a hundred other subjects—not more, let us say, than the supervision of the food supply or the automobile. We require that meats, eggs, butter and milk shall be wholesome when they are set out for sale. The driver of an automobile must secure a license; he is limited in his rate of speed. There are public interests as he goes up and down the road which he must hold in view. I say as much for the picture man. We meet him as often as we do the vender of food or the motor car, and he must be bound to good order. The law which prohibits one person from taking the life of another or from stealing his child, his ox or his silverware is not for that large number of people who have no wish to slay or rob. The regulations as to impure food and fast driving and driving without licenses or lights are not for those who will never err in these respects. The penalties are for men who stand ready to offend. They are silent reminders to deter those who might misconduct themselves if they could, and stand there to be enforced against those who shall dare so much in a direction which is at variance with our notions of the common weal.

Again, it is not far from a law which says that nothing which is improper on moral grounds shall be shown in a theatre to another law which is effectively devised to enforce this principle. From the welter of discussion which the subject of censorship has evoked, nothing has come so far as I can see, except this: The common law, amplified by the statutes of the States, and the ordinances of cities, governing the character of our theatrical exhibitions, are apparently acceptable to the picture man, and the journalist and the attorney, who are employed to speak for him. His objection begins only when a method is found to give practical effect to this law. It is clear that our ordinary police and constabulary authorities are unable to exercise a suitable care over the moving picture house. Their duty is to preserve good order in the streets and there, indeed, their competency is sometimes in question. With the film which travels hither and thither elusively daily they have neither the time nor the knowledge to deal. What more natural, then, than to say that this film before it may be shown at all, shall be presented to specially delegated officers who shall view it, and if they find it good, shall certificate it and license it. It is merely, as I regard the subject, after long consideration of it, a practical means of administering law with reference to a new activity, which is of such a nature that it cannot be kept under legal control otherwise. By this means film is taken quite out of the control of the regularly established police agencies—they are left free for their more appropriate tasks, the people are assured that what they and their children shall see will do them no injury, and the picture man himself, if he were worldly wise, would understand how much he might gain by cheerfully assenting to the development of a policy which must protect him from the random offender, who with but one bad picture may give the public a distorted view of the character of the whole industry.

Moreover the picture makers themselves have long supported a general system of censorship. In the National Board of Censors, now called a Board of Review, they recognize the authority as well as the necessity of a general oversight of their product. Upon a picture before it leaves the studio the legend is printed, with a premature assurance one would suppose, "Passed by the National Board of Review." We are given to understand, therefore, that the prin-

ciple of editing film after it is produced, of changing it to conform to some standards of social right, has the approval of the trade. The only question is as to who shall be the judge and the jury in the case. Shall the result be arrived at under the direction of the defendant and the attorney for the defence, or shall the prosecutor have a hand in the proceeding in a regularly established tribunal where there may be hope of bringing out the truth and of enforcing at need some penalty under regular forms? That the industry as such has a conscious wish to violate the rules of good order neither I nor any who has had its movements under long observation would assert. Many high-minded men have been and are now associated with it. But it is peculiarly fluid. Few who were known in it in its first days are still actively interested in its fortunes. Companies rise and fall; they are organized and reorganized. A year or a month, indeed, reveals a complete change in the personality of a film corporation.

The conditions under which film is manufactured, distributed and exhibited are such that any adventurer can enter the business and make his escape before one quite knows what he is about. It is a truth beyond dispute that a picture designed for prurient tastes will bring a long queue to the portals of a theatre. That in the long run such a "show" will not be successful is a platitude to which one can honestly subscribe. But meanwhile this kind of an exhibition has had a transient popularity with our adolescent boys and girls and others who are perpetually curious on the subject of sex, and it is gone, its owner going with it loaded down with his gains.

It is this evil note in pictures which I labor with enthusiasm and satisfaction to suppress. To know that so much may be done and is done is reward enough for any who has a correct and responsible social feeling. The film man who uses a story dealing with sex questions in their ugly forms or who makes partial draughts upon the forbidden and intimate side of such relationships to enliven his theme and lend zest, or "punch," as he calls it, to his product, is an enemy of mine and I am an enemy of his. That he is engaged, as he wishes me to believe, in the noble business of teaching a lesson, I deny. My position on these matters is that of the British Board of Film Censors on the subject of drug pictures. "It is said for such films that they serve to warn the

public against the dangers of the abuse of drugs," so runs the report, "but the Board decided that there being no reason to suppose that this habit was prevalent in this country, to any serious extent, the evils of arousing curiosity in the minds of those to whom it was a novel idea far outweighed the possible good that might accrue by warning the small minority who indulged in the practice."

I am, therefore, not to be beguiled by the protestations of such a picture man. I have met him and he resembles a teacher less than any one I have ever seen. Whether he acts for himself, or for some League for Social Education which he forms to father his enterprise, he is a speculator who is trading upon the salacious tastes of the people. It is clear that a theatre is not a proper place for the inculcation of such lessons, or the theatre man a proper person to bear such delicate messages to the young. We have the church, the school, the home and our social organizations — in them still as hitherto communications of this character can be made to boys and girls. Such an "educator" is acting with malicious deliberation and he needs to be taken in hand vigorously.

I am not without a sincere confidence in the future of the picture if we shall move forward under an enlightened system of oversight. It is probable that an actor like Mr. Skinner, that a critic like Mr. Eaton and others of us who are tied by sympathy and tradition to the stage, may not have the fullest understanding or appreciation of this new art. All, however, have the right to demand that it shall be decent, and to expect as well as hope that the producers will use their endeavors to assist whoever may be laboring toward these most desirable and necessary ends.

ELLIS PAXSON OBERHOLTZER.